

## Message Text

CONFIDENTIAL

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ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 L-01 PM-03 INR-05 DODE-00 NSC-05

NSCE-00 CIAE-00 SSO-00 INRE-00 PRS-01 RSC-01 /037 R

DRAFTED BY L/EA:EGVERVILLE:EA/VN:RWENZEL:MAD

APPROVED BY EA:PHABIB

L - MR. ALDRICH (DRAFT)

PM - MR. DWORKEN (SUBSTANCE)

INR - MR. MCAFEE (SUBSTANCE)

DOD/GC - MR. FORMAN

DOD/ISA - MR. ABRAMOWITZ

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O 290121Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO IMMEDIATE

INFO AMEMBASSY SAIGON IMMEDIATE

CINCPAC HONOLULU HI

USFJ

C O N F I D E N T I A L STATE 020519

LIMDIS

E.O. 11652: GDS

TAGS: MARR, PFOR, PINR, JA, US

SUBJECT: GOJ INQUIRY RE SR 71 ACTIVITIES

REFS: (A) TOKYO 971 (NOTAL); (B) STATE 12153 (NOTAL);

(C) TOKYO 574 (NOTAL)

1. GUIDANCE BELOW HAS BEEN PREPARED FOR GOJ USE IN CONNECTION WITH POSSIBLE DIET INQUIRIES. THIS SUPERCEDES EARLIER GUIDANCE REFERRED TO REF B WHICH SHOULD BE CONSIDERED CANCELLED. WE WOULD HOPE THIS GUIDANCE WOULD BE SUFFICIENT FOR GOJ PURPOSES AND DO NOT WISH, EVEN ON CONFIDENTIAL BASIS, TO GO BEYOND THIS AT THIS TIME.

2. FOLLOWING GUIDANCE IS IN FORM LIKELY QUESTIONS AND CONFIDENTIAL

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ANSWERS WHICH MIGHT ARISE IN DIET:

QUESTION: IS THE US CONDUCTING SR-71 FLIGHTS OVER NORTH VIETNAM?

ANSWER: THE CONTINUING POSITION OF THE USG HAS BEEN THAT IT DOES NOT COMMENT ON OPERATIONAL MATTERS OF THIS TYPE. THEREFORE, THE GOJ IS NOT IN A POSITION TO ANSWER THIS QUESTION.

QUESTION: IF SUCH FLIGHTS WERE BEING CONDUCTED, WOULD THIS BE A VIOLATION OF THE PARIS AGREEMENT OR OF INTERNATIONAL LAW?

ANSWER: THE GOJ IS NOT A PARTY TO THE PARIS AGREEMENT AND WE DO NOT THINK WE SHOULD GET INTO THE BUSINESS OF INTERPRETING IT.

IF PRESSED, GOJ COULD ADD: AS WE SAID, THE GOJ IS NOT A PARTY TO THE AGREEMENT AND THEREFORE IS NOT IN A POSITION AUTHORITATIVELY TO INTERPRET THE AGREEMENT. HOWEVER, THE GOJ WOULD NOTE THAT IN THE JUNE 13, 1973 COMMUNIQUE BETWEEN THE USG AND THE DRV, REFERENCE IS MADE TO SUCH FLIGHTS AND IT WOULD APPEAR FROM THIS REFERENCE THAT ANY SUCH FLIGHTS WOULD NOT BE IN CONFORMITY WITH ARTICLE 2 OF THE PARIS AGREEMENT. THE GOJ WOULD ALSO NOTE REPEATED STATEMENTS BY USG SPOKESMEN THAT THE NORTH VIETNAMESE HAVE BEEN MASSIVELY VIOLATING THE PARIS AGREEMENT FOR TWO YEARS; THAT THE USG HOLDS THE VIEW THAT THE AGREEMENT CANNOT BE SELECTIVELY RESPECTED BY THE NORTH VIETNAMESE AND THAT WHEN ONE PARTY TO AN INTERNATIONAL AGREEMENT COMMITS MAJOR VIOLATIONS OF THAT AGREEMENT, THE OTHER PARTY IS LEGALLY JUSTIFIED IN SUSPENDING OPERATION OF THE AGREEMENT IN WHOLE OR IN PART. KISSINGER

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** OBSERVATION AIRCRAFT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 JAN 1975  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** buchantr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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05 JUL 2006

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**Subject:** GOJ INQUIRY RE SR 71 ACTIVITIES  
**TAGS:** MARR, PFOR, PINR, JA, US  
**To:** TOKYO  
**Type:** TE  
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